

Part 1

General Provisions

34A-1-101 Title.

- (1) This title is known as the "Utah Labor Code."
- (2) This chapter is known as the "Labor Commission Act."

Enacted by Chapter 375, 1997 General Session

34A-1-102 Definitions.

Unless otherwise specified, as used in this title:

- (1) "Commission" means the Labor Commission created in Section 34A-1-103.
- (2) "Commissioner" means the commissioner of the commission appointed under Section 34A-1-201.

Enacted by Chapter 375, 1997 General Session

34A-1-103 Labor Commission -- Creation -- Seal.

- (1) There is created the Labor Commission that has all of the policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities outlined in:
 - (a) this title; and
 - (b) unless otherwise specified, Title 34, Labor in General.
- (2) The commission may sue and be sued.
- (3)
 - (a) The commission shall have an official seal for the authentication of its orders. A description and impression of the seal shall be filed with the Division of Archives.
 - (b) A court in this state shall take judicial notice of the seal of the commission.

Enacted by Chapter 375, 1997 General Session

34A-1-104 Commission authority.

Within all other authority or responsibility granted to it by law, the commission may:

- (1) adopt rules when authorized by this title, or Title 34, Labor in General, in accordance with the procedures of Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- (2) conduct adjudicative proceedings in accordance with the procedures of Title 63G, Chapter 4, Administrative Procedures Act;
- (3) license agencies in accordance with this title or Title 34, Labor in General;
- (4) employ and determine the compensation of clerical, legal, technical, investigative, and other employees necessary to carry out its policymaking, regulatory, and enforcement powers, rights, duties, and responsibilities under this title or Title 34, Labor in General;
- (5) administer and enforce all laws for the protection of the life, health, and safety of employees;
- (6) ascertain and fix reasonable standards, and prescribe, modify, and enforce reasonable orders, for the adoption of safety devices, safeguards, and other means or methods of protection, to be as nearly uniform as possible, as necessary to carry out all laws and lawful orders relative to the protection of the life, health, and safety, of employees in employment and places of employment;

- (7) ascertain, fix, and order reasonable standards for the construction, repair, and maintenance of places of employment as shall make them safe;
- (8) investigate, ascertain, and determine reasonable classifications of persons, employments, and places of employment as necessary to carry out the purposes of this title or Title 34, Labor in General;
- (9) promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees;
- (10) ascertain and adopt reasonable standards and rules, prescribe and enforce reasonable orders, and take other actions appropriate for the protection of life, health, and safety of all persons with respect to all prospects, tunnels, pits, banks, open cut workings, quarries, strip mine operations, ore mills, and surface operations or any other mining operation, whether or not the relationship of employer and employee exists, but the commission may not assume jurisdiction or authority over adopted standards and regulations or perform any mining inspection or enforcement of mining rules and regulations so long as Utah's mining operations are governed by federal regulations;
- (11) develop processes to ensure that the commission responds to the full range of employee and employer clients; and
- (12) carry out the responsibilities assigned to it by statute.

Amended by Chapter 382, 2008 General Session

34A-1-105 Commission budget -- Reports from divisions.

- (1) The commission shall prepare and submit to the governor for inclusion in the governor's budget to be submitted to the Legislature, a budget of the commission's financial requirements needed to carry out its responsibilities as provided by law during the fiscal year following the Legislature's next annual general session.
- (2) The commissioner shall require a report from each of the divisions and offices of the commission, to aid in preparation of the commission budget.

Enacted by Chapter 375, 1997 General Session

34A-1-106 Fees.

- (1) Unless otherwise provided by statute, the commission may adopt a schedule of fees assessed for services provided by the commission by following the procedures and requirements of Section 63J-1-504.
- (2) The commission shall submit each fee established under this section to the Legislature for its approval as part of the commission's annual appropriations request.

Amended by Chapter 183, 2009 General Session